

No. 11(112)-80-8Lab./13053.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Sudhir Engineering Industries, Rohtak :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 108 of 1980.

Between

SHRI OM PARKASH, WORKMAN AND THE MANAGEMENT OF M/S. SUDHIR ENGINEERING INDUSTRIES, ROHTAK

Present :—

None for the workman.

Shri M.M. Kaushal for the management.

AWARD

This reference No. 108 of 1980 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/RTK/43-80/30519, dated 20th June, 1980 under section 10(i)(c) of the I.D. Act, for adjudication of dispute existing between Shri Om Parkash, workman and the management of M/s. Sudhir Engg. Industries Rohtak. The term of the reference was :—

“Whether the termination of services of Shri Om Parkash was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. Shri M.M. Kaushal, representative of the management appeared for the management but no one appeared for the workman despite the service of notice to him through his authorised representative Shri B.S. Punchal. The proof of service is attached with the file of reference No. 105 of 1980. *Ex parte* proceedings were taken up against the workman on the same date of hearing and the case was fixed for *ex parte* evidence of the management to be recorded on 4th November, 1980. On 4th November, 1980, *ex parte* evidence of the management was recorded. Shri Randhir Nagpal partner of the respondent was examined as the sole management witness. He despose that the workman executed a settlement with the management on 4th April, 1980 which is Exhibit MW-1/1 and which bears my signature at point 'A' and the signature of the workman at point 'B'. Under the terms of settlement the workman has taken his dues and put his signature on the revenue stamps at point 'C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relied upon when it is made on oath and mores so when it is made in *ex parte* proceedings. When the workman did not appear to pursue his claim against the management the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. No order as to costs.

Dated 5th November, 1980.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 2805, dated 29th November, 1980.

Forwarded four copies to the Secretary to Government of Haryana, Labour and Employment Department Chandigarh as required under section 15 of the I.D. Act, 1947.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No 11(112)-80-8Lab./13054.—In pursuance of the provision of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the disputes between the workman and the management of M/s Sudhir Engineering Industries, Rohtak :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LAEOUR COURT HARYANA, ROHTAK.

Ref. No 109 of 80

Between

SHRI HOSHIAR SINGH, WORKMAN AND THE MANAGEMENT OF M/S SUDHIR ENGINEERING INDUSTRIES, ROHTAK.

Present :—

No one for the workman.

Shri M.M. Kaushal for the management.

AWARD

This reference No. 109 of 1980 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/RTK/48—80/30525, dated 20th June, 1980 under section 10 (i)(c) of the I.D. Act, 1947 for adjudication of dispute existing between Shri Hoshiar Singh workman and the management of M/s. Sudhir Engineering Industries, Rohtak. The term of the reference was:—

“Whether the termination of service of Shri Hoshiar Singh was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties. Shri M.M. Kaushal, representative of the management appeared for the management but no one appeared for the workman dispute the service of notice to him through his authorised representative Shri B.S. PUNCHAL. The proof of service is attached with the file of reference No. 105 of 1980. *Ex parte* proceedings were taken up against the workman on the same date of hearing and the case was fixed for *ex parte* evidence of the management to be recorded on 4th November, 1980. On the 4th Nov., 1980 *ex parte* evidence of the management was recorded. Shri Randhir Nagpal partner of the respondent was examined as the sole management witness. He depose that the workman executed a settlement with the management on 18th February, 1980 which is Exhibit MW-1/1 and which bears my signature at point 'A' and the signature of the workman at point 'B'. Under the term of settlement the workman has taken his dues and put his signature on the revenue stamps at point 'C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relied upon when it is made on oath and more so when it is made in *ex parte* proceedings. When the workman did not appear to pursue his claim against the management the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms.

No order as to costs.

Dated 5th November, 1980.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 2806, dated 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the I.D. Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. (112)-80-8Lab/13073.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s. Ottino (India) Private Lrd., Mathura Road, Faridabad.

BEFORE SHRI M. C. BHARDWAJ PRESIDING OFFICER INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 47 of 1978

Between

THE WORKMEN AND THE MANAGEMENT OF M/S. OTTINO (INDIA) PRIVATE LTD.
MATHURA ROAD, FARIDABAD

Present.—

Shri Darshan Singh for the workmen.

Shri S. L. Gupta for the management.

AWARD

By order No. ID/FD/543-77/8057, dated 20th February, 1978 the Governor of Haryana referred the following disputes between the management of M/s. Ottino (India) Private Ltd., Mathura Road, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :

- (1) Whether the workmen are entitled to the grant of bonus for the year 1975-76? If so, with what details?

- (2) Whether the workmen should be supplied with uniforms ? If so, with what details ?
- (3) Whether the grades and scales of pay to workmen should be framed ? If so, with what details ?
- (4) Whether the workmen are entitled to the grant of dearness allowance ? If so, with what details ?

On receipt of the order of reference notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 11th July, 1978 :—

- (1) Whether Faridabad Engineering Workers Union has *locus standi* to raise the demand ?
- (2) Whether the demands have been espoused by substantial number of workmen ?
- (3) Whether disputes No. 2 and 3 are barred by a settlement dated 26th May, 1976 ?
- (4) Whether the workmen are entitled to the grant of bonus for the year, 1975-76 ? If so, with what details ?
- (5) Whether the workmen should be supplied with uniforms ? If so, with what details ?
- (6) Whether the grades and scales of pay of the workmen should be framed ? If so, with what details ?
- (7) Whether the workmen are entitled to the grant of dearness allowance ? If so, with what details ?

And the case was fixed for the evidence of the workmen. The workmen examined as WW-1 and closed their case on issues No. 1 and 2. The management also closed their case on issues No. 1 and 2. Issues No. 1 and 2 were decided in favour of the workmen and issue No. 3 was decided against the management. Then the case was fixed for the evidence of the workmen on remaining issues. The workmen did not produce their evidence, rather they were given due opportunity. On the date last date of hearing neither the workmen were present, nor their representative. It seems that the workmen are not interested in pursuing their case.

I, therefore, give my award that the workmen are not interested in pursuing their case and there is no dispute now pending for adjudication between the parties.

The 25th November, 1980

M. C. BHARDWAJ.
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.

No. 1063, dated 27th November, 1980

Forwarded (four copies) to the Secretary to Government Haryana Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.

The 19th December, 1980

No. 11(112)-30-3Lab/13139.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s. R. S. Engineering Works 1-B 210 NIT, Faridabad.

* IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 285 of 1980

Between

SIRI JANA LAL RAJ, WORKMAN AND THE MANAGEMENT OF M/S. R. S. ENGINEERING WORKS. 1-B-210 NIT, FARIDABAD

Present.—

Shri Roshan Lal alongwith workman.
None for the respondent management.

AWARD

This reference No. 285 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/74-80/34861, dated 30th June, 1980 under section 10(1) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Janak Raj, workman and the management of M/s. R. S. Engineering Works, I-B-210, NIT, Faridabad. The term of the reference was :—

Whether the termination of service of Shri Janak Raj, was justified and in order ? If not to what relief is he entitled ?

After receiving this reference notices were issued to the parties, for 6th August, 1980, but the service of the notice had not been effected on the management and fresh notice was sent to the respondent management for 1st September, 1980. On that day it was found that service of notice had not been effected on the management and it was again ordered that fresh notice be sent to respondent management through regd. A.D. and dus ti, for 12th September, 1980. On 12th September, 1980 none appeared on behalf of the respondent management. The service of the notice has effected on the management. I waited upto 1.30 p.m. for the presence of the management respondent or its representative and proceeded *ex parte* against the management and the case was fixed for *ex parte* evidence of the workman for 29th September, 1979. On 29th September, 1980 the *ex parte* evidence of the workman was not present and the case was adjourned to 12th November, 1980.

On 12th November, 1980 the *ex parte* evidence of the workman was recorded. The workman stated that he was working with the respondent management from 27th October, 1979 as fitter at Rs 275 per mensem. He further stated that he was a permanent employee of the respondent. The management terminated his services on 21st April, 1980 without assigning any reason or giving any charge sheet. He further stated that he served a demand notice on the management on which the management appeared before the conciliation officer, the management had joined the conciliation proceedings. Before the conciliation officer the management refused to accept me on duty. He further stated that the management terminated his service illegally and he was unemployed till now. He also prayed that he be reinstated with back wages and continuity of service.

Keeping in view the circumstances of the case I see no reason why the unrenutted statement given on oath by the workman should not be believed especially when the management chose not to appear and defend this reference before this Court. So I hold that the termination of service of the workman Shri Janak Raj was unjustified and not in order. He is entitled to be reinstated with full back wages and continuity of service.

This be read in answer to this reference.

The 30th November, 1980

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 2208, dated 1st December, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department Chandigarh, as required under section 15 of the Industrial Disputes Act,.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 11 (112)-80-8Lab/13143.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s. Flovel India Private Ltd., Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 238 of 1980

Between

SHRI CHADDI LAL, WORKMAN AND THE MANAGEMENT OF M/S. FLOVEL INDIA, PRIVATE LTD., MATHURA ROAD, FARIDABAD

Present—

Workman with Shri Adarash Kishore.

Shri H.R. Dua for the respondent management.

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AWARD

This reference No. 238 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana, *vide* his order No. ID/FD/67/28607, dated 9th May, 1980 under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication the dispute existing between the workman Shri Chaddi Lal and the management of M/s. Flovel India Private Ltd., 13/1 Mathura Road, Faridabad. After receiving the order of reference notices were issued to both the parties, but none appeared from the side of the management and I proceeded *ex parte* against the management and *ex parte* award was sent to Government,—*vide* this Court Endorsement No. 1074, dated 1st July, 1980. After publication of the award the management came to know that *ex parte* award was sent in favour of the workman and they approached this Court to set aside the same within thirty days and the *ex parte* award was set aside by my order dated 9th September, 1980, but on 20th November, 1980 the workman made a statement before this court that he had not served the demand on the correct respondent management and the reference was made by the Government on wrong management, so he withdrew this reference. He also reserved his right to raise the demand afresh.

In view of the statement made by the workman, I hold that there exists no dispute between the parties as the workman raised the demand against a wrong management respondent.

This be read in answer to this reference.

The 29th November, 1980

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 2210, dated the 1st December, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 11(112)-80-8Lab/13148.—In pursuance of provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Standard Dyers, Plot No. 106, Sector 24, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 209 of 1980

between

SHRI RAM BAHADUR, WORKMAN AND THE MANAGEMENT OF M/S. STANDARD DYER-
PLOT. NO. 106, SECTOR-24, FARIDABAD.

Present Workman with Shri Darshan Singh

Shri K.K. Prashar, for the respondent management.

AWARD

This reference No. 209 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/202-79/16689, dated 9th April, 1980 under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Ram Bahadur and the management of M/s. Standard Dyers Plot No. 106, Sector 24, Faridabad. The term of the reference was—

Whether the termination of services of the workman Shri Ram Bahadur was justified and in order ?, if not to what relief is he entitled ?

After receiving this reference notices were issued to both the parties, who appeared and filed their pleadings. On the pleadings of the parties issues were framed on 22nd September, 1980, but on 18th November 1980 when the case was fixed for evidence of the parties, the workman Shri Ram Bahadur made a statement before

this court that he had settledd his dispute with the respondent management. According to which the management agreed to take him on duty without back wages, but his service will be treated as continuity of service. He further stated that he will not claim any wages for the period of his absence. He also under took to join his duty within three days with the respondent management.

This statement of the workman was also agreed to by the representative of the management and prayed that award be given accordingly.

In view of the statement made by the parties, I reinstate the workman from 19th November, 1980 without back wages, but his period of absent will be treated as continuity of service.

This be read in answer to this reference.

Dated 29th November, 1980 .

ISWAR PRASAD CHAUDHRY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 2215 dated the 1st December, 1980.

Forwarded (Four copies) to the Secretary to Govt. Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the I.D. Act.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-8Lab/13750.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s. sunflag Textiles, Pvt. Ltd., Plot No. 13, Sector-6, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 451/1980

between

SHRI RAM JATAN, WORKMAN AND THE MANAGEMENT OF M/S. SUNFLAG TEXTILES, PVT. LTD., PLOT No. 13, SECTOR-6, FARIDABAD.

Present: None for the workman.

Shri B. R. Grover, for the respondent management.

AWARD

This reference No. 32 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/51/80/50268, dated 19th September, 1980 under sections (10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing beween Shri Ram Jatan and the management of M/S. Sunflag Textiles, Pvt. Ltd., Plot No. 13, Sector 6 Faridabad. The term of the reference was —

Whether the termination of service of Shri Ram Jatan was Justified and in order ? If not, to what relief is he entitled.

After receiving this reference notices were issued to both the parties for 27 October, 1980, but none appeared on behalf of the workman. The service of the notice was effected on the workman. I waited up to 2.15 p. m. and proceeded *ex parte* against the workman. Then the case was fixed for *ex parte* evidence of the management on 3rd November, 1980.

On 3rd November, 1980 the *ex parte* evidence of the management was not present and the case was fixed for *ex parte* evidence of the management for 20 November, 1980. On 20th November, 1980 *ex parte* evidence of the management was recorded. Shri G. S. Pandey appeared as MW-1, who stated that he knew the claimant workman.

On 19th November, 1979 the workman submitted his resignation, photo copy of which is Ex. M-1. The written statement of management is Ex.M-2. He further stated that the resignation of the workman was duly accepted by the management. As the workman resigned of his own accord so the question of re-instatement/re-employment did not arise.

In view of the un rebutted *ex parte* evidence produced by the management. I am left with no choice except to believe the version of the management. I feel that the workman resigned his service of his own accord so the question of reinstatement/re-employment does not arise. I hold that termination of service of the workman is proper, justified and in order and he is not entitled to any relief.

This be read an answer to this reference.

Dated the 29th November, 1980 .

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 2217 dated the 1st December, 1980

Forwarded (four copies) to the Secretary to Govt. Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

Dated the 29th November, 1980 .

ISHWAR PRASAD CHAUDHRY
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-8-8Lab./13152.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s. Apco Industries 21/5 Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER LABOUR COURT, FARIDABAD

Reference No. 448 of 1980.

between

SHRI JAI DEV NATH, WORKMAN AND THE MANAGEMENT OF M/S. APCO INDUSTRIES,
21/5 MATHURA ROAD, FARIDABAD.

Present: None for the workman. Shri S.K. Verma along with Shri R. Gogna, for the respondent management.

AWARD

This reference No. 448 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/49093, dated the 15th September, 1980 under section 10 i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Jai Dev Nath workman and the management of M/s Apco Industries, 21/5 Mathura Road, Faridabad. The term of the reference was —

Whether the termination of service of Shri Jai Dev Nath was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference notices were issued to both the parties for 28th November, 1980. On that day the claim statement was not ready and the case was fixed for filing the Claim statement for 4th November 1980. On 4th November, 1980 the representative of the workman stated that the demand notice be treated as claim statement. Then the case was fixed for filing the written statement for 10th November, 1980. On that date of hearing the management filed the written Statement, but none was present from the side of the workman. I waited up to 2.10 p.m. and proceeded *ex parte* against the workman. Then the case was fixed for recording of *ex parte* evidence of the management, for 17th November, 1980. On 17th November, 1980 *ex parte* evidence of the management was recorded. Shri S.K. Verma manager appeared as MW-1, who stated that he knew the workman Shri Jai, Dev Nath. Due to shortage of power the management retrenched some workman, notice of which was given to the

government as well as to the workman, copy of the notice is Ex. M-1. The photo copy of the seniority list is Ex. M-2 which was sent to the government along with Ex. M-1. After the expiry of notice period the management sent Rs. 523.55 in full and final settlement of claim of the workman through money order, which the workman refused to accept. The refused money order is Ex. M-5. He further stated that the management had not employed any helper after the retrenchment, and closes its case.

In view of the un rebutted *ex parte* evidence produced by the management. I am left with no choice except to believe the version of the management. I feel that due to the shortage of power the management retrenched the workman and his retrenchment compensation was sent to the workman. So the termination of the workman is proper justified and in order and the workman is not entitled to any relief.

This be read in answer to this reference.

Dated 29th November, 1980.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana
Faridabad.

Endst. No. 2219, dated the 1st December, 1980.

Forwarded (four copies) to the Secretary to Govt. Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-8Lab/13157.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act. No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s New India Dyeing and Furnishing Mills, Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER,
LABOUR COURT, HARYANA, FARIDABAD

Reference No. 371 of 1980

between

WHRI SHIV NATH WORKMAN AND THE MANAGEMENT OF M/S NEW INDIA DYEING
AND FINISHING MILLS, MATHURA ROAD, FARIDABAD

Presents —

Shri R. N. Roy, for the workman.

Shri D. C. Bhardwaj, and Shri K. B. L. Malik, for the management.

AWARD

This reference No. 371 of 1980 has been referred to this court by the Hon'ble Governor of Haryana, vide his order No. ID/FD/119-80/40153, dated 5th August, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Shiv Nath workman and the management of M/s New India Dyeing and Finishing Mills, Mathura Road, Faridabad. The term of the reference was:—

Whether the termination of services of Shri Shiv Nath was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 7th October, 1980 and the case was fixed for 5th November, 1980 for the evidence of the management. On that day, the evidence of the management was not present and they prayed for adjournment which was granted and the case was fixed for 21st November, 1980. On 21st November, 1980 Shri R. N. Roy, authorised representative of the workman made a

statement in this court that the management had agreed to re-instate Shri Shiv Nath workman without back wages but his old service continuing and the workman had left his financial benefits for the period of his un-employment. He can resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representatives of the management.

In view of the statement of both the parties, I hold that there is now no dispute left between the parties for adjudication. I give my award in terms of the statements of the parties and answer the reference while returning the same in these terms. No order as to costs.

Dated the 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

Endst. No. 2224, dated 1st December, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-8Lab/13158.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/S Appolan fabrics/New India Dyeing and Finishing Mills 14/5 Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER,
LABOUR, COURT, HARYANA, FARIDABAD.

Reference No. 494 of 1980

between

SHRI PRITAM CHAND, WORKMAN AND THE MANAGEMENT OF M/S APPOLAN FABRICS/
NEW INDIA DYEING AND FINISHING MILLS, 14/5, MATHURA ROAD, FARIDABAD.

Present:—Shri R. N. Roy for the workmen. Shri D. C. Bhardwaj along with Shri K. B. L. Malik, for the Management.

AWARD

This reference No. 494 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/188-80/53984 dated 17th October, 1980 under section 10(i) (c) of the Industrial Disputes Act 1947 existing between Shri Pritam Chand, workman and the management of M/s Appolan Fabrics/New India Dyeing and Finishing Mills, 14/5 Mathura Road, Faridabad. The term of the reference was:—

Whether the termination of services of Shri Pritam Chand was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. On 21st November, 1980 the case was fixed for filing of rejoinder and framing of issues, but at this stage Shri R. N. Roy, authorised representative of the workman made a statement in this court that the management had agreed to reinstate Shri Pritam Chand workman without back wages but his old service will be continuing and the workman had left his financial benefits for the period of his un-employment. He can resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representatives of the management.

In view of the statement of both the parties, I hold that there is now no dispute left between the parties and answer the reference while returning the same in these terms. No. order as to costs.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Dated 30th November, 1980.

Endt. No. 2225 dated 1st December, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.